

REMARKS

Claims 1-116 were cancelled by a preliminary amendment. Claims 117-236 are cancelled by this amendment. This amendment adds new claims 237-258.

New claims 237-258 are fully supported by the specification. For example, claims 237 and 241 are supported by the middle structure on page 33 and the definition of R on page 28, line 31. Claim 241 and other claims directed to kits are further supported at page 12, lines 29-34 (discussion of kits). Claims 238 and 242 are supported on page 13, lines 29-30 where compositions of cationic lipid in water are discussed. Further, the dilution of cationic lipids in aqueous medium (e.g. DMEM) is noted in Examples 7 and 8 of the specification. Claims 239, 240, 243 and 244 are supported on page 50, lines 31 and 32, where lipid-aggregate forming compounds are noted to include neutral lipids and several neutral lipids are specifically named. Method claims 245-250 are supported on page 69, lines 4-5, where an at least 15 minute incubation is noted. The use of physiologic medium is noted in Examples 7 and 8. Compositions of cationic lipids and neutral lipids are noted on page 50, lines 31 and 32. Claims 251-258 are supported on page 67, lines 14-28 where methods for making lipid aggregates are discussed.


Based on as-filed claims 117-236, which are now cancelled, the Examiner had required an election of a single species of the plurality of species in those claims. Applicants elect the species of new claim 237, with traverse. Applicants traverse the requirement for election because it is believed that the plurality of species of the as-filed claims were properly linked by allowable generic claims and that the examination of the species in those claims would not have represented an undue burden upon the Office. Applicants note that all the claims remaining in this case are directed to the elected species of claim 237.

Conclusion

This submission does not require the payment of excess claims fees. This response is accompanied by a Petition for Extension of Time of Two Months with a

check in the amount of \$450.00 for the extension fee due. If the enclosed amount is incorrect, please credit any overpayment or deduct any deficiency from deposit account 07/1969.

Respectfully submitted,


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